

**HIGH PERFORMANCE
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Renata B. Hesse
Antitrust Division
U.S. Department of Justice
VIA FACSIMILE: (202) 307-1454

Jan 22, 2002

Re: Microsoft Settlement

Ms. Hesse:

I am writing to express my opinion on the Microsoft Settlement, and indeed on the whole case. First, I do not believe that the case should have been brought. Originally, the case was filed at the urging of its envious competitors. It is important to note that Microsoft's customers and partners did not have a complaint.

First, I will speak for myself as a consumer of Microsoft's products. I remember the old days before Windows had standardized the graphical interface. I think it was even more important that Microsoft standardized hardware device drivers. Installing a new printer was difficult, even for computer experts. There was a dearth of hardware, partly because the vendors had much larger and much more complex job to provide drivers. Clearly, the consumer has benefited greatly from a standardized and easier way in which hardware vendors can provide software to support their hardware.

Second, I am also the CEO of a software development company. At times, our products have become devalued due to a Microsoft product release. Does this mean that I think that the force of government should be wielded to make Microsoft not compete against a small company like DiamondWare? NO!!!

I would not want to live in the sort of country that would destroy Microsoft for DiamondWare's sake. What would that mean for car companies, airlines, pharmaceuticals, food, and all of the other kinds of goods and services that I consume? In each case, the more successful companies would be held back, for the alleged benefit of the less. My choice among these products would be under attack.

Stalin's Soviet Union is a good example of the sort of place which fully and consistently attacked the good for being the good.

In conclusion, I urge you to drop the case altogether. Microsoft and its investors have already suffered many billions of dollars of damages due to this specious case. If dropping the case is not legally possible any more, then seek to do the least damage allowable by law, and let Microsoft move forward without this threat hanging over their heads any longer!

Thank you.

Sincerely,


Keith Weiner,
President